

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARIO H. CAPOGROSSO,

Plaintiff,

-against-

ORDER
18 CV 2710 (MKB)(LB)

ALAN GELBSTEIN, *in his official and individual capacity*, BOSHRA VAHDATLAMAS, *in her official and individual capacity, also known as Bushra Vahdat*, IDA TRASCHEN, *in her official and individual capacity*, ELIZABETH PRICKETT-MORGAN, *in her official and individual capacity*, JEAN FLANAGAN, *in her official and individual capacity*, VINCENT PALMIERI, *in his official and individual capacity*, DANIELLE CALVO, *in her official and individual capacity*, SADIQ TAHIR, *in his individual capacity*, PEC GROUP OF NY, INC., DAVID SMART, and JOHN AND JANE DOES,

Defendants.

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BLOOM, United States Magistrate Judge:

The State Defendants plan to produce discovery to plaintiff but first request two proposed orders. ECF No. 139. The Court grants defendants' request for an order under the Federal Rule of Evidence 502(d), which protects the parties against the inadvertent waiver of privileged information. However, the Court cannot so order a confidentiality order unless all parties sign it. Plaintiff is advised that signing an agreement to keep discovery materials confidential is not a motion to exclude evidence. If plaintiff refuses to sign a confidentiality agreement, defendants may not produce confidential material to him during discovery.

SO ORDERED.

Dated: October 28, 2020
Brooklyn, New York

LOIS BLOOM
United States Magistrate Judge